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7 **THE UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF NEVADA**

9 RUBY PIPELINE, L.L.C., a Delaware limited  
liability company,

**CASE NO.: 3:10-cv-00332-RCJ-WGC**

10  
11 Plaintiff,

12 vs.

**JUDGMENT**

12 0.768 ACRES OF REAL PROPERTY IN  
13 ELKO COUNTY, NEVADA; THE ESTATE  
14 OF VELDA HANVILLE; ELKO COUNTY,  
NEVADA; 0.498 ACRES OF REAL  
15 PROPERTY IN HUMBOLDT COUNTY,  
NEVADA; RICHARD C. HARRIS, an  
16 individual; JANE M. HARRIS, an individual;  
2.673 ACRES OF REAL PROPERTY IN  
17 HUMBOLDT COUNTY, NEVADA; 0.335  
ACRES OF REAL PROPERTY IN  
18 HUMBOLDT COUNTY, NEVADA; JDK  
19 1991 TRUST; JAMES EDWARD  
BATEMAN AS CO-TRUSTEE OF THE  
20 JDK 1991 TRUST; CHERYL J. BATEMAN,  
AS CO-TRUSTEE OF THE JDK 1991  
21 TRUST; INTERMOUNTAIN FEDERAL  
LAND BANK ASSOCIATION FLCA;  
22 FRANK TSCHANNEL, an individual; 0.743  
ACRES OF REAL PROPERTY IN  
23 HUMBOLDT COUNTY, NEVADA;  
BENJAMIN INAY SOLOMON, TRUSTEE  
24 UNDER THAT CERTAIN UNRECORDED  
SELF TRUSTEED TRUST; CONCEPTION  
25 PENA SOLOMON TRUSTEE UNDER  
THAT CERTAIN UNRECORDED SELF  
26 TRUSTEED TRUST; and ALL UNKNOWN  
OWNERS OF OR INTEREST HOLDERS  
27 IN THE ABOVE DESCRIBED TRACTS,  
28

Defendants.

HOLLAND & HART LLP  
5441 KIETZKE LANE  
SECOND FLOOR  
RENO, NV 89511

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1           THIS MATTER came before the Honorable Robert C. Jones, United States District  
2 Court Judge of the above-entitled Court, on April 13, 2015 on Plaintiff Ruby Pipeline, L.L.C.'s  
3 Motion for Summary Judgment and for an Order Awarding Just Compensation [Doc 98]; with  
4 J. Robert Smith with the law firm of Holland & Hart, LLP and Laurence Garrett with Ruby  
5 Pipeline, L.L.C., appearing for and on behalf of Plaintiff, and no one appearing on behalf of  
6 Defendants.

7           Plaintiff Ruby Pipeline, L.L.C. ("Ruby") originally brought claims against the above-  
8 captioned Defendants for Condemnation of Property Interests for a Natural Gas Transmission  
9 Easement pursuant to 15 U.S.C. §717f(h) and Federal Rule of Civil Procedure 71.1. Ruby was  
10 issued a Certificate of Public Convenience and Necessity by the Federal Energy Regulatory  
11 Commission to construct and operate a natural gas pipeline and related facilities in Wyoming,  
12 Utah, Nevada, and Oregon. Each of the Defendants owned property in Nevada through which  
13 the pipeline was designated to cross. Except for the Estate of Velda Hanville, Ruby was able to  
14 reach a settlement with the other Defendants, who were subsequently dismissed from this case.  
15 Unfortunately, Ms. Hanville died in 1997 and no other person or relative claimed an interest in  
16 the Hanville property. Consequently, the Estate has never appeared in this matter, and no one  
17 appeared on behalf of any other person interested in the Hanville property.

18           On February 17, 2015, Ruby filed a Motion for Summary Judgment and for an Order  
19 Awarding Just Compensation [Doc. 98]. Ruby sought summary judgment on its condemnation  
20 claim against the Estate of Velda Hanville, 0.768 Acres of Real Property in Elko County, and  
21 all unknown owners or interest holders in the subject property, with respect to a 50-foot wide  
22 permanent easement across the Hanville property in order to operate and maintain the pipeline.  
23 Ruby also requested that the Court award the Estate \$5,000.00 as just compensation for the  
24 easement.

25           The Court, after considering Ruby's Motion for Summary Judgment, the papers  
26 submitted by Ruby in support thereof, and the argument of its counsel, issued its Order  
27 Granting Ruby Pipeline, L.L.C.'s Motion for Summary Judgment and Awarding Just  
28 Compensation on May 11, 2015 [Doc. 104].

1 NOW THEREFORE, based on the Court's May 11, 2015 Order Granting Ruby  
2 Pipeline, L.L.C.'s Motion for Summary Judgment and Awarding Just Compensation,

3 IT IS ORDERED, ADJUDGED AND DECREED that Judgment is hereby entered in  
4 favor of Plaintiff Ruby Pipeline, L.L.C. and against the Defendants the Estate of Velda  
5 Hanville, 0.768 Acres of Real Property in Elko County, Nevada, and all unknown owners or  
6 interest holders in the subject property.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Ruby Pipeline,  
8 L.L.C. is granted a 50-foot permanent and perpetual easement and right-of-way for the  
9 purposes, presently and at any such time in the future as Ruby Pipeline, L.L.C. may elect, of  
10 constructing, maintaining, operating, renewing, repairing, relocating, removing and/or  
11 replacing the pipeline in a manner consistent with Ruby Pipeline, L.L.C.'s Federal Certificate  
12 of Public Convenience and Necessity, issued on April 5, 2010, and the regulations of the  
13 Federal Energy Regulatory Commission, for the transportation of natural gas, and all  
14 appliances, appurtenances, fixtures, equipment, and facilities whether above or below ground,  
15 deemed by Ruby Pipeline, L.L.C. to be necessary or desirable in connection with the pipeline,  
16 across the following described real property in Elko County, Nevada, APN 010-16E-067:

17 Northwest Quarter of the Southwest Quarter of the Northwest Quarter of  
18 Section 19, Township 41 North, Range 67 East of the Mount Diablo  
19 Meridian, Elko County Nevada.

20 The Easement that Ruby Pipeline, L.L.C. is granted is legally described as follows:

21 A 50.00 foot easement for pipeline purposes across a portion of the  
22 Northwest Quarter of the Southwest Quarter of the Northwest Quarter of  
23 Section 19, Township 41 North, Range 67 East of the Mount Diablo  
24 Meridian, Elko County Nevada. Said easement being 25.00 feet on each side  
25 of the following described centerline:

26 Commencing from the Northeast Corner of the Northwest Quarter of said  
27 Section 19, thence South 00 degrees 03 minutes 17 seconds West, along the  
28 East line of the Northwest Quarter of said Section 19, a distance of 1710.15  
feet: thence South 81 degrees 47 minutes 14 seconds West, a distance of  
2010.11 feet to the East line of the Northwest Quarter of the Southwest  
Quarter of the Northwest Quarter of said Section 19 and the Point of  
Beginning; thence continuing South 81 degrees 47 minutes 14 seconds West,  
a distance of 669.46 feet to the West line of the Northwest Quarter of the

1 Southwest Quarter of the Northwest Quarter of said Section 19 and the Point  
2 of Terminus, at which point the Northwest Corner of the Northwest Quarter  
3 of said Section 19, bears North 00 degrees 26 minutes 45 seconds West, a  
distance of 1971.01 feet.

4 Extending or shortening the side lines to close upon the East and West lines  
5 of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter  
6 of said Section 19. Containing 33,472.78 Square Feet or 0.768 Acres more  
or less.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Ruby Pipeline,  
8 L.L.C. shall pay \$5,000.00 as just compensation for the Easement. Because there has been no  
9 appearance on behalf of the Estate or by any interested person, such compensation shall be paid  
10 to the Court Clerk and held in the registry of the Court for a reasonable period of time in the  
11 event someone subsequently claims an interest in the Property. In the event no one claims an  
12 interest in the Property during a reasonable period of time as determined by the Court, the  
13 compensation shall escheat to the State of Nevada. To the extent Ruby Pipeline, L.L.C. has  
14 already paid money into the registry of the Court in excess of the \$5,000.00, Ruby Pipeline,  
15 L.L.C. is entitled to a return of the balance in excess of the \$5,000.00.

16 DATED this 25th day of August, 2015.

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19 JUDGE ROBERT C. JONES  
20 UNITED STATES DISTRICT COURT JUDGE  
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